

Q. Didn't make any offer to him?

A. No.

The last of the above-mentioned documents is a letter written by herself August 28th, 1944, and reading as follows:—

**Enclosed a short Memorandum on the International Labour Organization.**

I am entirely responsible for the views and opinions expressed in it. They are based on a long experience in the I.L.O. and on personal knowledge of most of the members of the staff.

I am, of course, at your disposal for any supplementary information as well as for the translation into Russian. Enclosed also a certain number of annexes.

Germina Rabinowitch

August 28, 1944.

Questioned on the above exhibit she testified:—

Q. Then let us read Exhibit 38 together. That exhibit was shown to you when you recognized your signature this morning?

A. Yes, sir.

Q. And it is dated August 28, 1944, the same day you had that meeting which you say was the last?

A. Yes.

Q. In that letter you said:—

*Enclosed a short memorandum on the International Labour Organization.*

A. Yes.

Q. Then you go on:—

*I am entirely responsible for the views and opinions expressed in it. They are based on a long experience in the I.L.O. and on personal knowledge of most of the members of the staff.*

*I am, of course, at your disposal for any supplementary information as well as for the translation into Russian.*

*Enclosed also a certain number of annexes.*

Then you signed that, *Germina Rabinowitch* and dated it August 28, 1944?

A. Yes, sir. I told him if he wants some more information on the I.L.O. he could have it. That is no secret.

Q Well, I don't know whether there was any secret or not. You knew. You were in the habit of meeting people on street corners, and setting meetings in advance, and so on; or is this the only person with whom you did that?

A The only person.

Q It is quite a strange procedure, is it not?

A Yes, sir.

Q It is a secret procedure, is it not?

A Yes.

Q And why does it have to be secret?

A That was not my idea.

Q You shared the idea, did you not?

A Well, I agreed.

Q The question you are asked is, why did it have to be secret?

A It doesn't need to be secret as far as I am concerned.

Q Then why did you not send the gentleman all that information from the office of the I.L.O. on the stationery of the I.L.O. instead of giving him this information on a street corner, at street corner meetings?

A Because Russia is not a member of the I.L.O.

Q And was not entitled to this information?

A Yes, anybody is entitled to it.

Q Why did you not send it through the regular channels, then?

A He asked personally for this information.

Q That is not my question. Even if he asked personally for it, you could have written that from your office.

A I could have.

Q Why did you not?

A Because he asked me to give them to him personally.

Q Why did you persist in having meetings on street corners?

A He asked for them, not I.

Being offered the opportunity to make any explanation she cared to, she said:—

Q. . . Now, is there anything that you did not have the occasion to say, and that you would like to say to the Commission; or any explanation or any excuse, or anything? You may feel free to say anything you like; and if there are some questions that you thought should have been asked you and have not been asked, you may be free to make any statement.

A. Thank you. I would like to say first of all that whatever I did was very careless; I admit it, and I am very sorry for it. It was never done in any way to harm anybody or any country. I was very happy about being in Canada, and I never had the slightest thought or act to do anything against the hospitality which I received here, or which could do any harm to this country.

I never was connected with any political activities here. I did not know anybody mixed up with any political activities; and when I had certain contacts with the Soviet Embassy, there were certain ideas behind it which have nothing to do with being an agent or no agent.

As I said before, I had seen my family at that time in Russia, and I once already had a visa for them to come to this continent; and because of the Russians they were not released out of Lithuania and perished there later on. But at that time I still had reason to hope they were still there and still alive, and as a matter of fact I learned only much later that they died just at the end of the German occupation.

I had perhaps the foolish idea that with rendering service to A\_\_\_\_\_ and to Rachel I might have some kind of possibilities in helping my parents, who were in very great danger there in Lithuania. My parents were already old at that time, and also some younger people; but of course I thought mainly of my father and mother.

As I said before, this whole business, I was used just like a tool, and was foolish enough to let myself into that business. I did not get anything from them, because the small service I asked for they did not render it to me, even when I asked for my parents.

The other thing is that I did not do anything disloyal to the International Labour Office, nor the United States, either. I should like to say that I feel very sorry about being so careless, but at that

time that was the whole attitude during the war still. I didn't feel that I was doing any harm in contacting these people. Only later, when I saw all this secrecy and all that business, I disliked it very much, and I have never seen them again and I hope never to see them any more, and I don't know their names and I didn't care to know their names.

We consider that the evidence of this witness substantiates the documents brought by Gouzenko relating to Rabinowitch. It is unnecessary to elaborate.

NOTED  
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## SECTION VII

### EVALUATION OF INFORMATION AND MATERIAL HANDED OVER

Questions which naturally arise are how much information was obtained by the Russians by means of the illicit operations described in this Report, and what was the importance of that information.

It is impossible to say how much information was obtained, or of what it all consisted. These operations have been going on for a number of years, and the evidence does not by any means disclose the full extent of the information given, even within that one of the networks which we have been able to investigate in some detail. Enough is disclosed, however, to show that a very great deal of secret information from a number of Departments and Agencies of Government was regularly finding its way to the Russians.

The statement handed by Mr. Lozovski, the Soviet Deputy Commissar of Foreign Affairs, to the Chargé d'Affaires of the Canadian Embassy at Moscow on February 21, 1946, which is set out fully in Section IX, contains the following:—

*"In this connection, after appropriate investigation, the Soviet Government consider it necessary to make the following statement:*

*"Soviet organizations have become aware that in the latter periods of the war certain members of the staff of the Soviet Military Attaché in Canada received, from Canadian nationals with whom they were acquainted, certain information of a secret character which did not, however, present great interest for the Soviet organizations. It has transpired that this information referred to technical data of which Soviet organizations had no need in view of more advanced technical attainment in the U.S.S.R., the information in question could be found in published works on radio location, etc. and also in the well known brochure of the American J. D. Smyth, "Atomic Energy".*

*"It would, therefore, be ridiculous to affirm that delivery of insignificant secret data of this kind could create any threat to the security of Canada.*

*"None the less, as soon as the Soviet Government became aware of the above mentioned acts of certain members of the staff*

*of the Military Attaché in Canada, the Soviet Military Attaché, in view of the inadmissibility of acts of members of his staff in question, was recalled from Canada."*

While it admits the operation of the Military Attaché, this statement is also significant because of its attempt to minimize the importance of the information and data obtained.

We did not consider it part of our duty to inquire whether there is in fact "more advanced technical attainment in the U.S.S.R.", but we are impressed by the elaborate nature of the organization set up by Russians to obtain information, and by the lengths to which their agents were prepared to go in the furtherance of that purpose.

We can say that our investigation has satisfied us that none of the secret information and data which the evidence shows was handed over could, at the time it was handed over, be found in any published works. If it could, it would not be secret as the Russian statement admits it was. The Smyth report is dealt with in Section VIII.

The witnesses who appeared before us were not able to speak with any authority about what the Russians knew or had achieved along scientific lines because they were unanimous that the Russians told no one what they knew or what they were doing. As one witness put it, the Russians "took everything and gave nothing out". It is clear that the information sought was considered of the greatest importance by the Russian espionage leaders, and that alone might be a fair test on the question of value.

But the evidence is that some of the information supplied standing alone would appear to have little, if any value. This, however, does not mean that it was in fact valueless. The evidence indicates that there were agents working along the same lines in the United Kingdom, the United States, and elsewhere. The Russians would know from their agents in Canada that information was being pooled: by getting some information on a subject here, some in England and some in the United States, and then assembling it, a very large body of data could be built up. It is therefore impossible to say that any information handed over, no matter how trivial it might appear by itself, was not of some value.

Furthermore the fact that work carried to a certain stage in one country, would be carried a stage further or to completion in another, would mean that for adequate evaluation the material obtained in one place would have to be checked against that obtained in another.

However much secret and valuable information was handed over. Some of it is so secret still, that it can be referred to only obliquely and with

the greatest care, and this is especially so in the case of certain secret information shared by Canada, the United Kingdom, and the United States.

From the beginning there was the closest co-operation in scientific research between Canada, the United Kingdom and, later, the United States. While some secrets were not fully shared, as in the case of some details concerning the atomic bomb, the results of continuing research work by scientists in one country was in almost all cases at once communicated to their opposite numbers in the other two. Work carried to a certain stage in one would be further advanced in another; and experimentation and research did not stop when a reasonably satisfactory result appeared to have been achieved but further improvements were sought and frequently made.

As to the question of atomic energy and the work done by nuclear physicists, we are able to say in the first place that on the evidence before us no one in Canada could have revealed how to make an atomic bomb. There was no one in Canada who had that information. In the second place there is no suggestion in the evidence that anyone who had any information on the subject made any disclosures except May. As to May, he did have certain information that would be of value to the Russians. He was in a position to get, where we do not know but possibly in Montreal, samples of Uranium 235 enriched and Uranium 233; he did get them and did deliver them to Lt. Angelov. These samples were considered so important by the Russians that upon their receipt, Motinov flew to Moscow with them. May also possessed considerable knowledge of the experimental plant at Chalk River, Ontario, which was described as "unique". In addition to May's work in Canada, he also did some work in the United States in collaboration with American scientists, but the evidence before us is that in such work also he could not properly have obtained the full story. How much of his information he handed over we are not able to say, but what he is known to have given, as shown by the documents and by his own written statement, we are told would be of considerable help to the Russians in their research work. May, in his written statement, did not particularise about the extent of the information he gave, but stated in effect that it was more than has since appeared (i.e. in the *Smyth Report*). He said that he gave his "contact" a "written report on atomic research as known to me. This information was mostly of a character which has since been published or is about to be published."

Next to the atomic bomb it would appear to us that the development of Radar was perhaps the most vital work accomplished by the English-

speaking Democracies in the technical field during the period in question. British scientists had already done valuable pioneering work before 1939, but the improvements made since then have been considerable and many of these are still in the Top Secret category. Information of the greatest importance in this field was communicated to the Russians by agents.

The work done in connection with anti-submarine devices, Asdic, is as important as the work done on Radar—some authorities say that it is more important. Much of it is still in the Top Secret category. The information before us leads us to the conclusion that much, and very possibly all, of the information available in Canada on this subject has been compromised. It would at least be unwise to assume anything else.

The advances made in Canada by Canadians in developing and improving explosives and propellants were outstanding. Canadian scientists were given very full information on the work being done in the same fields in the United Kingdom and the United States. The very names of many formulas are still supposed to be secret: the production methods even more so. But the names and much of the secret information were given to the Russians as well as continuing information about trials, experiments and proposed future research. This information was of great value.

Another development in which Canada played a leading role is the "V.T. Fuse", the name being a code name. "This is the fuse that knocked the Japanese Air Force out of the air", and it was used against the Germans in the latter part of the European War. The wiring details and the details of manufacture are still classified as secret. This fuse was developed in Canada. "We started to work in 1943", said a witness, "and developed it to the place where we had to put it into manufacture; but we had no place to manufacture it so we gave this secret to the Americans, and they, with their own knowledge and ours, produced this fuse. Canadians have been in on this right from the very beginning". One of the agents upon whom we are reporting had the wiring diagram of this fuse. There are certain details of the manufacture which were known only to the Americans; and the United States of America is, we are told, the only country that can build the fuse at the present time. This fuse is the "electro bomb" referred to in some of the Russian documents. None of the armaments sent to Russia during the war included this fuse.

In conclusion, therefore, we can say that much vital technical information, which should still be secret to the authorities of Canada, Great Britain and the United States, has been made known to the Russians by reason of the espionage activities reported on herein. The full extent of the

information handed over is impossible to say; as we have already pointed out, these operations have been going on for some time. We should emphasize that the bulk of the technical information sought by the espionage leaders related to research developments which would play an important part in the *post-war* defences of Canada, the United Kingdom, and the United States.

Much of the information handed over by agents such as Adams, Benning and Gerson comes in a different category from the technical and scientific information dealt with above. This second category may be described briefly as economic information. It included information on production, location of industries, transportation, and planning. It included also information regarding a wide variety of financial matters and matters pertaining to international trade and commercial policy. It is sufficient to say here that the amount of material in this category which was handed over was very great indeed, and that much of it was classified as Secret or Top Secret. Regarding the evaluation of this material, we will say only that this information appears to have been such as would be designed to facilitate detailed estimates of Canada's post-war economic and military potential. Parts of this information could also be useful in connection with possible sabotage operations.

There is a further category of information which we should mention briefly. In addition to material on technical, scientific and economic subjects, the espionage leaders also sought—and obtained from agents in the cipher division of the Department of External Affairs and in the registry of the Office of the United Kingdom High Commissioner at Ottawa—political information. Much of the political information obtained was classified as Top Secret and related not only to the policies of the Canadian Government but to those of the Governments of the United Kingdom and the United States. The value of information of this type needs no particularization.

Again, Canadian citizenship documents such as passports, naturalization certificates, and marriage or birth certificates were sought for illegal purposes and in some cases obtained. Such documents were sought not only for use in Canada but also, as illustrated for example by the Witczak passport case dealt with in Section V of this Report, for use in the United States. Sam Carr accepted in 1945 an assignment to facilitate the entry of other planted agents into Canada in the future, and it is clear that this type of operation, which was not a new development, was intended to be used more extensively in the future. Such planted agents could in time be used not only for espionage but for sabotage, leadership of subversive political groups, and other

purposes. It is unnecessary to comment on the possible gravity of these operations.

The other aspect of this whole matter should not be lost sight of. Of paramount importance is the fact that Canadians were willing to give secret information no matter what its importance, and were carrying out their agreements. Some gave all they had or all they could get; others apparently gave only some of what was in their possession; some had not much to give but were in positions where they would, in the future, have been able to give more and they would undoubtedly have done so. The most important thing is the agreement of certain Canadian Communists to work under foreign orders in a conspiracy directed against their own country.

It is also significant that the Canadian Communists were prepared to give secret information to the Soviet Government, and that they were prepared to do so in return for political favours. This is a remarkable admission of guilt by the Canadian Communists, and it is difficult to conceive of any other explanation for their conduct than that they were working under foreign orders.

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## SECTION VIII

### ARRANGEMENTS MADE BY THE CANADIAN DEPARTMENT OF NATIONAL DEFENCE FOR SUPPLYING INFORMATION OFFICIALLY TO THE SOVIET MILITARY ATTACHÉ

The Canadian Department of National Defence had set up an organization to maintain liaison with the Military Attachés of the various foreign governments represented in Ottawa, including the Soviet Military Attaché, and to supply them officially with all authorized information which they might seek.

This official system was described in a directive of 18th December, 1943, sent to all foreign Military Attachés in Ottawa and to the various branches of the Canadian armed forces, and was reprinted in booklet form in July, 1945. Requests for information or for permission to visit any officer in National Defence headquarters were to be made to the Secretary, Department of National Defence. Requests for technical information would then be referred to the technical directorate concerned to assemble the information and then to the Directorate of Intelligence which was responsible for deciding whether or not such information could be handed over.

Colonel Jenkins, the Canadian staff officer in charge of liaison with foreign Military Attachés in Ottawa, has stated to us that this system worked very well in general. He mentioned that his Department was slightly concerned about the activities of Major Sokolov. This Soviet officer, while wearing uniform, was not officially on the staff of the Military Attaché of the Soviet Embassy but on that of the Commercial Counsellor. (As has been stated in Section II, Sokolov was in fact one of Zabotin's espionage agents, and his ostensible position on the staff of another section of the Embassy was deliberate).

Major Sokolov disregarded the official procedure laid down for foreign Military Attachés and officers of their staffs, and made direct enquiries of technical units. Colonel Jenkins drew Colonel Zabotin's attention to this breach of regulations on October 25, 1944. Zabotin replied that he had no authority over Sokolov as the latter was working for the Commercial Counsellor although wearing a uniform. Colonel Jenkins stated before us:—

"Other foreign officers in Canada with other Governments, we were able to bring under the control of the Military Attaché but not in the case of the Russians."

Colonel Jenkins has testified that his Department had been aware of certain irregularities by Major Sokolov in connection with minor abuses of Canadian business contacts made in the course of his duties in connection with the Mutual Aid programme.

Regarding official requests from Colonel Zabotin for information, Colonel Jenkins detailed such requests and submitted a complete list, which we reproduce:—

<b>Date</b>	<b>Request</b>	<b>Result</b>
1943		
Sept.	Authorization for Col. Zatbotin to visit Artillery and Engineer Demonstrations at Petawawa Military Camp and Armament Corps Training at Camp Borden.	Granted.
Dec.	Authorization for Col. Zabotin to visit anti-aircraft defences at Arvida.	Granted.
1944		
June	Miscellaneous Canadian Training pamphlets.	Supplied.
June	Authorization for Col. Zabotin to visit certain military establishments in Halifax in connection with his trip there with R.C.A.F.	Granted.
Nov.	Cold weather reports.	Supplied.
Nov.	Comparative ranks of the three services' badges, etc.	Supplied.
Nov.	Canadian Army Manual of Maintenance and Lubrication.	Supplied.
Dec.	Publications dealing with infantry weapons used in the Canadian Army.	Supplied.
Dec.	List of Canadian Army Uniforms.	Supplied.
Dec.	Authorization for visit of Col. Zabotin to R.M.C.	Granted.
Dec.	Authorization for visit of Lt.-Col. Motinov and Major Rogov to Paratroop Training Centre.	Granted.
1945		
Mar.	List of German Divisions on the Western and Eastern fronts.	Supplied.
May	Miscellaneous Training pamphlets.	Supplied.

Date	Request	Result
1945		
Oct.	Information about the expedition "Mulberry".	Press release supplied and Col. Zabotin invited to exhibition of model.
Nov.	Information on Canadian post-war army organization.	Given copy of Minister's speech in House of Commons 16 October 1945.

In June, 1945, Col. Zabotin was advised that the Department of Munitions and Supply had given permission for him to visit Scarbow Fuse Loading Plant at the invitation of the President of General Engineering Co. In September, 1945, he was advised of an invitation by the R.C.A.F. to all foreign Military Attachés to attend a demonstration of jet-propelled aircraft (*Meteor*).

In fact no information whatsoever, officially asked by Colonel Zabotin was refused.

Zabotin apparently considered this surprising even between allies, and attributed it to what he considered an unusual personal generosity on the part of Colonel Jenkins. This is illustrated by the following document, a telegram signed by Zabotin and sent to Moscow on 23rd August, 1945:—

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To the Director,

1. In your letter is indicated as No. 1—the Chief of the operational division, Colonel Jenkins—but the character outline was taken from the file of Dick. Colonel Jenkins has not been a candidate of ours for development. With Jenkins have been established good mutual business relations. From him I am getting quite valuable materials. Thus for example, recently I received from him a series of materials on the tasks mentioned in your telegram No. 10921. I have never planned the development of the latter, as he is a Reserve Officer and must soon retire. His retirement is not in our interest as it is hardly likely that his future replacement will be as good a man as he is. So far there has been no occasion when Jenkins refused us anything whatsoever. I consider that the

subject of your letter was about Dick. Please elucidate.

Grant.

**23.8.45.**

(“Dick” is the cover-name of another Canadian Colonel, referred to in Section II, 5. a).

On 26th September, 1944, Colonel Zabotin wrote asking permission to visit German prisoner-of-war camps across Canada. While this request was under consideration, the Soviet Ambassador approached the Department of External Affairs on the matter, which was then handled by that Department and is dealt with elsewhere in this Report.

The Soviet Military Attaché accompanied the other foreign Military Attachés on conducted visits to Canadian Army Exercises at Wainwright in August of 1944 and at Churchill in January, 1946.

The evidence showed that Zabotin did not make any official enquiries in respect of important matters, and Colonel Jenkins' comment to us was that the list above quoted “brings out the point which we had often discussed among ourselves, and that is how, not futile, but how reasonable were . . . (Zabotin's) . . . official requests. We see the reason now”.

The reason, or rather reasons for this official restraint on Zabotin's part are obvious. The very innocuous nature of the official requests was calculated to lull the Canadian authorities into a sense of security, so they would have no suspicion of the secret activities of Zabotin and his assistants or the staff of the Soviet Embassy, and also to convince them how correct the Russian attitude was.

When asked whether any of the official requests for information indicated that the Russians were in possession of information that they could not properly have obtained, Colonel Jenkins replied, “No, as far as we were concerned we were absolute fools, had no idea at all.”

The evidence further shows that Zabotin at no time ever indicated a desire to exchange information. Colonel Jenkins said that all his section got from Zabotin was bundles of pamphlets or magazines, *Military Thought* and *Air Fleet News*, which Zabotin would bring in every three months or so.

In fact, it appears that Zabotin was embarrassed by an official invitation from the Canadian General Staff to lecture at the Royal Military College, Kingston, on the organization of the Red Army. He was afraid that any misleading information which he might give might not tally with informa-

tion given in Moscow to the foreign Military Attachés there. He decided, however, that this difficulty could be solved by limiting himself to material published in a Soviet magazine. On 22nd August, 1945, he sent the following telegram to Moscow on this matter:—

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To the Director,

A letter was received from the General Staff, signed by Colonel Jenkins, asking us to give a lecture on the organization of the Red Army, at the Military College in Kingston. I visited that place in the spring of this year. I consider that no lecture on that subject should be given. There is a plan at the General Staff whereby all Military Attaches were requested to make reports. A number of attachés have already made these reports. I therefore find myself in a disadvantageous position. I think it expedient to make a report along the lines of two articles from No. 3 of the magazine "Voyennaya Misl" ("Military Thought"), namely the article by Marshal Rotmisterov of the tank troops and the one by Colonel General Samsonov. After this I will be able to press Jenkins and get a series of materials to fulfill your tasks for 1945.

A somewhat similar report to be made by Rogov on the materials from the magazines "Vestnik Vozdooshnovo Flota" ("Air Force News"), and to make use of the occasion I should together with him visit the Staff College of the Air Force in Toronto. I beg you to make the desired corrections.

N. Zabotin.

22.8.45

It will be observed that Zabotin signed official telegrams to Moscow, the subject matter of which did not concern his espionage activities, with his real name. It is not surprising, however, that he occasionally became confused. One of his telegrams laid before us by Gouzenko, dealing with purely personal matters, is significant. It is in Zabotin's handwriting and he had signed it *Grant*. Realizing his error, Zabotin then crossed out *Grant* and substituted his real signature, "N. Zabotin". We give this telegram because of its significance in further authenticating the documents:—

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**To the Director,**

My son Vladimir has successfully completed his Ten-Year School. He declined to enter the institute of international relations and is preparing to enter the first Moscow Artillery School which named after Krasin, from which I graduated in 1924. In order to send my son off I ask to leave for a very short term. It appears to me that the time has come also for me to be at the centre to discuss a series of questions regarding our work. If it is indeed impossible for me to leave, I ask to send my wife with my son. I beg you facilitate the entry of my son in the Artillery school and to advise me of the time of departure. My wife cannot fly in an aeroplane.

Grant N. Zabotin

**2.8.45.**

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\*

In this section we have referred to one of the arrangements made by the Canadian authorities for the official supply of information to the Soviet military authorities. This has been necessary because of the light it throws on the abuse which Zabotin made of his official position in Ottawa. We have, therefore, not considered it necessary to deal in this Report in any other way with the official supply by Canada of material or information to the Soviet Union through the various channels set up for this purpose. In particular, we are not here concerned with the material or information supplied during the war by Canada to the Soviet Union through the Canadian Mutual Aid programme or through the joint arrangements made for this purpose by Canada, the United Kingdom and the United States.

\* Faint type indicates words crossed out in original documents.

## SECTION IX

### AUTHENTICITY AND ACCURACY OF THE RUSSIAN DOCUMENTS

Gouzenko carried away with him on the night of the 5th September, 1945, when he permanently severed his connection with the Soviet Embassy, the documents which have already been referred to in this Report.

No occasion was neglected throughout the inquiry to test their authenticity and accuracy. We were, however, steadily and increasingly impressed by the evidence as it developed during these numerous and lengthy sessions. It brought to light an unhappy but unfaded picture of organized and progressing spying activities in Canada.

We have before us certain admissions made by the Soviet Government; admission by conduct of certain members of the Soviet Embassy at Ottawa; and express admissions by certain persons in the service of the Canadian Government. We have before us other relevant evidence which we shall also discuss.

#### **The Admissions Made in Moscow by the Soviet Government**

In the capital of the Soviet Union, on the 20th February, 1946, at 10.15 p.m. Deputy Commissar of Foreign Affairs, Solomon Lozovski, invited Leon Mayrand, Chargé d'Affaires at the Canadian Embassy in Moscow, to call at his office and then read to him a two-page statement from the Soviet Government in reply to that made by the Canadian Prime Minister of Canada on the 15th of the same month. A copy of this note recited in a telegram has been filed before us as Exhibit No. 519, the text of which is as follows:—

**On February 15th this year the Canadian Government published a statement about the delivery in Canada of secret information to persons not having the right of access to this information, including certain members of the staff of a foreign Mission in Ottawa. On handing this statement to the Soviet Charge d'Affaires, N. D. Belokhvostikov, the Prime Minister, Mr. King, stated that the reference in the Canadian Government's statement to certain members of the staff of a foreign Mission referred to members of the staff of the Soviet Embassy in Ottawa.**

In this connection, after appropriate investigation, the Soviet Government considers it necessary to make the following statement:

Soviet organizations have become aware that in the latter periods of the war certain members of the staff of the Soviet Military Attaché in Canada received, from Canadian nationals with whom they were acquainted, certain information of a secret character which did not, however, present great interest for the Soviet organizations. It has transpired that this information referred to technical data of which Soviet organizations had no need in view of more advanced technical attainment in the U.S.S.R.; the information in question could be found in published works on radio location, etc., and also in the well-known brochure of the American, J. D. Smyth, *Atomic Energy*.

It would, therefore, be ridiculous to affirm that delivery of insignificant secret data of this kind could create any threat to the security of Canada.

None the less, as soon as the Soviet Government became aware that the above-mentioned acts of certain members of the staff of the Military Attaché in Canada, the Soviet Military Attaché, in view of the inadmissibility of acts of members of his staff in question, was recalled from Canada. On the other hand, it must also be borne in mind that the Soviet Ambassador and other members of the staff of the Soviet Embassy in Canada had no connection with this.

At the same time the Soviet Government finds it necessary to draw attention to the unbridled anti-Soviet campaign which began in the Canadian press and on the Canadian radio simultaneously with the publication of the Canadian Government's statement. In spite of the complete lack of significance and importance of the circumstances which gave rise to the Canadian Government's statement of February 15th, this anti-Soviet campaign is being supported by many Canadian organizations, and at the same time the position taken up by the Canadian Government is directly aimed at encouragement of this anti-Soviet press and radio campaign which is incompatible with normal relations between the two countries.

In this connection, surprise is occasioned by the unusual fact that the Canadian Government published its statement on February 15th instead of, as is customary between countries in normal relations, previously asking for an explanation from the Soviet Government. Inasmuch as the Canadian Government did not consider it necessary to approach the Soviet Government for a previous explanation, it must be admitted that the Canadian Government herein was pursuing some other ends having no relation to the security interests of Canada.

It must be admitted that the above-mentioned unbridled anti-Soviet campaign formed part of the Canadian Government's plan aimed at causing the Soviet Union political harm.

It cannot be considered a mere chance that Mr. King's statement was made to coincide with the ending of the session of the Assembly of the United Nations where the Soviet Delegate spoke in defence of the principle of democracy and independence of small countries. Evidently Mr. King's statement and the anti-Soviet campaign in Canada which has been developed in connection with it are something in the nature of an answer to the unpleasantness caused to Mr. King's friends by the Soviet Delegate at the session of the Assembly.

The fact that the Soviet Government made the admissions contained in this document within five days after the public announcement of the Canadian Prime Minister is cogent evidence that the documents taken from the Russian Embassy by Gouzenko were genuine and that the statements in them were true.

#### **Admission by Conduct of Certain Russian Officials in Ottawa**

Two sets of circumstances in immediate sequence of Gouzenko's sudden departure from the Embassy, established by several witnesses, have now to be considered in relation to the question of authenticity and accuracy of the documents brought before the Commission by Gouzenko.

The first lies in the extraordinary steps taken by night by certain members of the Soviet Embassy staff, led by Pavlov, the head of the N.K.V.D. in Canada, at apartment 4 of 511 Somerset Street in the City of

Ottawa, the residence of the Gouzenko family, evidencing an anxiety over the situation that had arisen.

The second set of circumstances following immediately these nocturnal activities consists in the exchange of official communiqües between the Soviet Embassy and the Department of External Affairs in Ottawa.

These two sets of circumstances, which are fully dealt with in Section X, establish, we think, the authenticity of the documents, the knowledge of their disappearance contemporaneously with Gouzenko's departure, and the extreme eagerness to repossess them.

We think also that Colonel Zabotin's departure from Ottawa in December 1945, without notifying the Canadian authorities to whom he was accredited, and his departure from New York on a Soviet ship, S.S. *Alexander Suvorov*, which sailed clandestinely at night without complying with port regulations, is also significant from the point of view here being considered.

### **Some of the Stationery Traced to Soviet Embassy**

While activities of the kind with which this report deals are conducted very secretly, they involve a certain amount of unavoidable recording, written communications, notes and reports.

Oral and documentary evidence (invoices and ledger sheets) show that during 1945 the Military Attaché purchased, from a local dealer in Ottawa, black folders of the same make and type as those produced by Gouzenko marked *Back, Badeau and Frank* which record the activities of Gordon Lunan, Durnford Smith, Sam Carr, and those working with them.

The evidence also established that similarly there was purchased in Ottawa in 1945 by the Soviet Embassy, blue sheets and pink sheets of paper identical with those produced by Gouzenko on which the telegrams to and from Moscow he brought were written. The sheets of paper produced by Gouzenko were examined by a witness who testified that the ruling and perforation on the same were specially made by his firm on the order of a representative of the Soviet Embassy.

### **Handwriting of Colonel Zabotin, Colonel Rogov and Lieutenant Colonel Motinov Identified**

Gouzenko identified the handwritings on the various documents he produced.

While in Canada, Colonel Zabotin, Colonel Rogov and Lt. Colonel Motinov were extended hospitality by Canadians. We had before us several

pages with the printed heading "*Friends of Ours*", extracted from a guest-book kept by an Ottawa resident at his hunting lodge. Colonel Zabotin on the 15th October, 1944 and Colonel Rogov and Lt. Colonel Motinov on the 26th October, 1944, were guests at this Lodge, and each wrote several sentences, in addition to his signature, in the guest-book.

A handwriting expert, having compared the handwritings in the guest-book with the handwritings in the Russian documents, testified that the handwritings in the documents were rightly attributed by Gouzenko to Zabotin, Rogov and Motinov respectively. We accept this evidence.

#### **Handwritten and Typewritten Documents from the Russian Embassy Traced to Employees of the Canadian Government or Agencies Thereof**

1. Gouzenko filed with us as Exhibits 24-a, 24-b, 24-c and 24-d four documents written in English on common correspondence stationery, which he says he took from the vault in room 12 of the Soviet Embassy. These documents were found to be in fact copies or summaries of actual telegrams from the Secretary of State for Dominion Affairs, London, to the Secretary of State for External Affairs, Ottawa, respectively dated August 24th, 1945, August 24th, 1945, August 25th, 1945 and August 31st, 1945, as the Russian documents purported to be.

Emma Woikin was, on all these dates, a cipher clerk on duty in the Department of External Affairs, and she admitted that the documents brought by Gouzenko had, in fact, been written by her and given by her to Mrs. Sokolov.

2. A single photostat sheet of a document handwritten in English, filed as Exhibit 27, also came, said Gouzenko, from the brief case of Lt. Col. Rogov kept in the vault in room 12 of the Embassy.

This document purports to be a report on the activities of an agent named *Badeau* later identified as Durnford Smith.

David Gordon Lunan admitted before us that he had written the original of this photostat document, and had handed it to Rogov.

3. Three photostat sheets, handwritten in English, filed as Exhibits 26-a, 26-b and 26-c, Gouzenko also said he took from Rogov's brief case.

These documents contained notes, formulae and drawings, the substance of which was, after investigation, traced and related to a certain project of the Micro-wave Section of the Radio Branch of the National Research Council.

A handwriting expert testified before us that these three documents were in the handwriting of Durnford Smith, a member of that Section.

Heard as a witness, Smith did not deny that it was his handwriting. He said it "looked like" his.

4. Filed as Exhibit 28 is one sheet of ruled paper written in English on both sides with perforations on the left-hand side, which Gouzenko said he took from the same safe. This document, handwritten, describes the operation of a gun and a method of filling shells with RDX/TNT.

Searches were made in the files of the Ammunition Branch of the Department of Munitions and Supply with the result that the original of the above document was located in a secret file of the Ordnance Board. This particular document is No. 31,719 and is dated 25th July, 1945.

Harold Samuel Gerson, an employee of the Department at that date, admitted that the document filed with us by Gouzenko had been written by him.

5. Two sheets from a small loose-leaf notebook, each written on both sides in English, and purporting to give the names of the Heads and Assistant-heads of the Radio Section, the Air Force Section, the Naval Micro-wave Section, and the Special Research and Development Section of the National Research Council, were filed by Gouzenko as 17-k, 17-l, 17-m and 17-n.

A handwriting expert gave evidence that these documents had been written by Durnford Smith. Smith himself, connected with the Micro-wave Section, would not admit but would not deny that these documents had been written by him.

6. Gouzenko also brought several sheets pasted into a black-folded file headed *Back*. These were typewritten in the English language, and have been marked as Exhibits 17-d, 17-e and 17-f. These purport to be reports from *Back* to *Jan*.

Captain David Gordon Lunan, identified by Gouzenko as the agent acting under the cover-name of *Back* was shown these documents and admitted having typed them himself on his own typewriter and delivered them to Rogov.

**The Connection Shown in the Russian Secret Documents between the various Canadian Agents is reflected and amplified in the private documents found in their possession.**

The majority of names appearing in the documents brought by Gouzenko have been identified by him as being cover names for places, organizations and persons.

Gouzenko easily identified the cover names used for all the Russians and from information which he had obtained by perusing the dossiers on individual agents, and the notebooks, incoming and outgoing telegrams and other documents, and from conversations in which he took part or which he heard at the Soviet Embassy, he was able to identify some of the persons who were not Russians and were mentioned under cover names, although with one exception he had not met any of them. A few of the names, he said, were real names, though inaccurately and phonetically spelled by the Russians in the English or in the Russian language.

The searches carried on in the respective residences or offices of those who were detained under Order in Council P.C. 6444, revealed that many of them had been in close contact with each other.

**SUMMARY OF EXHIBITS ON THE MATTER**

<i>Found at residence or office of</i>	<i>Nature of document</i>
MAZERALL . . . . .	Calendar pad taken from office desk—mention of LUNAN.
LUNAN . . . . .	Telephone number finder taken from office—mention of MAZERALL, MISS CHAPMAN, DURNFORD SMITH, POLAND, SHUGAR.
LUNAN . . . . .	Book of addresses and telephone numbers—mention of NIGHTINGALE, POLAND, ROSE, BOYER et al.
LUNAN . . . . .	Small book of addresses—mention of BOYER, AGATHA CHAPMAN, POLAND et al.
NIGHTINGALE . . . . .	Diary—mention of AGATHA CHAPMAN, FRITZIE LINTON (Grierson's Secy.), SHUGAR, BENNING et al.
BOYER . . . . .	Diary—mention of SHUGAR, LUNAN.
BOYER . . . . .	Booklet—mention of SHUGAR.
BOYER . . . . .	Letter—ROSE to BOYER "Dear Comrade".
BOYER . . . . .	Letter—signed "Arthur & Edith" (Steinberg).
BOYER . . . . .	Letter—signed "D. S. SHUGAR".
BOYER . . . . .	Letters between BOYER and LUNAN. <i>F730312</i>
BOYER . . . . .	Book containing names of STEINBERG, NORMAN VEALL, GERSON, LUNAN et al.
BOYER . . . . .	Group photo. of BOYER, LUNAN et al.
	Letter "Dear Nicholls" signed "STEINBERG".

<i>Found at residence or office of</i>	<i>Nature of document</i>
GERSON . . . . .	Notebook from Gerson's home—mention of Mrs. BENNING, CHUBB, AGATHA CHAPMAN, NIGHTINGALE et al.
ADAMS . . . . .	Booklet found in Adams' home—mention of DURNFORD SMITH.
ADAMS . . . . .	Calendar pad from Adams' office—mention of BOYER.
ADAMS . . . . .	Calendar pad from Adams' office—mention of SAM.
ADAMS . . . . .	Calendar pad from Adams' office—mention of AGATHA CHAPMAN.
SMITH . . . . .	Notebook found in bedroom of DURNFORD SMITH—mention of DAVID SHUGAR.
HALPERIN . . . . .	Address book found at Halperin's home—mention of ERIC and JO ADAMS, DR. BOYER, NIGHTINGALE, FRED ROSE, DAVE SHUGAR et al.
BENNING . . . . .	Notebook from Benning's office—mention of AGATHA CHAPMAN, FRED ROSE, NIGHTINGALE, POLAND, ADAMS, GERSON, SHUGAR et al.
POLAND . . . . .	Telephone finder from Poland's office—mention of AGATHA CHAPMAN, LUNAN.
POLAND . . . . .	Calendar pad for 1945 from Poland's desk—mention of PAVLOV.
POLAND . . . . .	Calendar pad for 1946 from Poland's office—mention of PAVLOV.
POLAND . . . . .	Notebook from Poland's home—mention of NIGHTINGALE.
POLAND . . . . .	Ottawa-Hull Telephone Directory for 1945 from Poland's home—AGATHA CHAPMAN'S name written in.
POLAND . . . . .	Letter found in Poland's home—mention of LUNAN.

### Conclusion

The conclusion that the documents which Gouzenko brought are authentic, is inescapable. We have given as illustrations some of the factors which establish the authenticity of particular documents. Many other illustrations could be given, and perusal of the Sections of this Report dealing with the illicit activities of the Russian Fifth Column agents will provide further instances. In addition to the admissions of the accuracy of statements in the documents regarding their participation in illicit activities made by the persons concerned, and already set out in this Section, Boyer, Mazerall, Willsher, Rabinowitch and May made similar admissions, the last named when questioned after his return to the United Kingdom. These admissions are dealt with in the relevant Sub-Sections of Section III of this Report.

On the other hand no evidence has been forthcoming from any source which casts the least doubt on the genuine nature of any of the documents.

There are instances, of course, of inaccuracies in matters of fact due to the human element; had such been entirely absent, there would have been cause for suspicion. It is in some of the small things which the documents record, that there is furnished significant confirmatory ground for our conclusion. Two examples may be given:—

1. Opposite an entry of August 25th, 1945, in Motinov's handwriting, in the Smith (*Badeau*) dossier, which entry records a street-corner meeting in Ottawa, there is a marginal note, under the heading "*Remarks*" reading:—

**Was a torrential downpour, but he nevertheless came.**

**Gave instructions not to come in the future in such weather; it is not natural.**

The meteorological records for Ottawa, including an automatic rain gauge chart, for the 25th August, 1945, and a rainfall chart for the entire month of August, show that there was very heavy rainfall on the evening of the 25th August, and that this was by far the heaviest rainfall of any day during the month.

2. In Lunan's (*Back's*) dossier, a Russian record of another secret meeting between Lunan and Rogov held on the 6th August, 1945, includes the statement:—

**Concerning Bacon and Badeau he communicated that he had not seen them, that both are on an official journey; he also communicated that both to him and to Bacon a child had been born.**

The fact of these births was confirmed in evidence by both Lunan (referred to as "he" in the document) and Halperin (*Bacon*). We think we need not say more on this subject.

**SECTION X****PF66960****IGOR GOUZENKO**

As we have already said, this witness, Igor Gouzenko, arrived in Canada in June, 1943, to act as cipher clerk for the Military Attaché, Colonel Zabotin, who came at the same time. Gouzenko's duty was to decipher messages from Moscow for the Military Attaché and to encipher Zabotin's messages for transmission to Moscow. Gouzenko also had charge of a safe in the room where he worked, in which papers of the Military Attaché and members of his staff were kept from time to time, and it was part of his duty to burn such papers as Zabotin indicated should be destroyed. On September 7th, 1945, under circumstances hereinafter set out, Gouzenko turned over to the Royal Canadian Mounted Police a number of papers from the Embassy relating to espionage activities of certain members of the Embassy, and made disclosure of the facts within his knowledge relating to the matter.

It will, perhaps be convenient that we should, at this point, deal with the facts leading up to the making of these disclosures by Gouzenko. We propose to deal with this branch of the evidence rather fully, for it has a bearing upon the weight to be attached to Gouzenko's evidence. Having heard that evidence and the evidence of other witnesses who came into contact with Gouzenko on September 6th and 7th, 1945, we have been impressed with the sincerity of the man, and with the manner in which he gave his evidence, which we have no hesitation in accepting.

Gouzenko is a young man, born in Russia in 1919. He holds the rank of Lieutenant in the Red Army and received special training in Russia leading up to his coming to this country. When he was sent out from Russia he says he had the understanding that he was being sent out for a two or three year period. In or about September of 1944, a telegram was received from Moscow by Colonel Zabotin indicating that Gouzenko's return to Russia was required. Owing to representations then made by Colonel Zabotin, this did not take place and Gouzenko was allowed to remain. Ultimately however, in August, 1945, definite instructions came from Moscow that Gouzenko must return with his wife and child. Gouzenko says that he had been having a struggle with himself as to whether or not he should return to Russia. He says that when he arrived in Canada he was impressed by the complete freedom of the individual which he found existing, which was utterly foreign to his experience in Russia and foreign to the information which he

had received in Russia as to life in the democratic countries. He was impressed with the things that were on sale in the stores and the fact that these things were there to be purchased by anybody who wanted to buy. He was also greatly impressed with the freedom of elections in Canada and the contrast between the freedom of nominating candidates and voting in Canada and the system which he had known in Russia, where one name only appeared on the ballot. He also says that he had seen how the Canadian people had sent supplies to the Soviet Union and collected money for the welfare of the Russian people, while all the time members of the Russian Embassy were developing under-cover espionage activity directed against Canada.

He says that in the Embassy, the fact that the Soviet Union was preparing for a third world war was freely talked about. He says there were two schools of thought there. Those who were not really tied in with the Communist Party feared another world war, while those who were ardent Members of the Party and its subsidiary organizations really wished for it, because they thought that to be part of the process leading toward a general upheaval throughout the world which would result in the establishment of Communism. Asked as to what antagonist was considered in these conversations to be facing Russia, he says that capitalism still remained to be overthrown. He further said that the announced abolition of the *Comintern* was merely a sham; that the work of the Comintern, which formerly, by reason of its preponderance of representatives therein, had always been controlled by Russia, is now directed exclusively by the Central Committee of the Communist Party of the Soviet Union.

We report this evidence without comment, except to say that we see no reason to doubt that Gouzenko has reported what he in fact heard, and that he regards what he heard as serious. He has said, and we believe that he thinks, that any such ideas are not in the true interests of the Russian people themselves. On the 10th of October, 1945, he made a formal statement, upon which he was examined before us. We reproduce that statement here:—

**I, Igor Gouzenko, wish to make the following statement of my own will:**

**Having arrived in Canada two years ago, I was surprised during the first days by the complete freedom of the individual which exists in Canada but does not exist in Russia. The false representations about the democratic countries which are increasingly propo-**

gated in Russia were dissipated daily, as no lying propaganda can stand up against facts.

During two years of life in Canada, I saw the evidence of what a free people can do. What the Canadian people have accomplished and are accomplishing here under conditions of complete freedom—the Russian people, under the conditions of the Soviet regime of violence and suppression of all freedom, cannot accomplish even at the cost of tremendous sacrifices, blood and tears.

The last elections which took place recently in Canada especially surprised me. In comparison with them the system of elections in Russia appear as a mockery of the conception of free elections. For example, the fact that in elections in the Soviet Union one candidate is put forward, so that the possibilities of choice are eliminated, speaks for itself.

While creating a false picture of the conditions of life in these countries, the Soviet Government at the same time is taking all measures to prevent the peoples of democratic countries from knowing about the conditions of life in Russia. The facts about the brutal suppression of the freedom of speech, the mockery of the real religious feelings of the people, cannot penetrate into the democratic countries.

Having imposed its communist regime on the people, the Government of the Soviet Union asserts that the Russian people have, as it were, their own particular understanding of freedom and democracy, different from that which prevails among the peoples of the western democracies. This is a lie. The Russian people have the same understanding of freedom as all the peoples of the world. However, the Russian people cannot realize their dream of freedom and a democratic government on account of cruel terror and persecution.

Holding forth at international conferences with voluble statements about peace and security, the Soviet Government is simultaneously preparing secretly for the third world war. To meet this war, the Soviet Government is creating in democratic countries, including Canada, a fifth column, in the organization

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\*Sentence underlined in original document.

of which even diplomatic representatives of the Soviet Government take part.

The announcement of the dissolution of the Comintern was, probably, the greatest farce of the Communists in recent years. Only the name was liquidated, with the object of reassuring public opinion in the democratic countries. Actually the Comintern exists and continues its work, because the Soviet leaders have never relinquished the idea of establishing a Communist dictatorship throughout the world.

Taking into account least of all that this adventurous idea will cost millions of Russian lives, the Communists are engendering hatred in the Russian people towards everything foreign.

To many Soviet people here abroad, it is clear that the Communist Party in democratic countries has changed long ago from a political party into an agency net of the Soviet Government, into a fifth column in these countries to meet a war, into an instrument in the hands of the Soviet Government for creating artificial unrest, provocation, etc., etc.

Through numerous party agitators the Soviet Government stirs up the Russian people in every possible way against the peoples of the democratic countries, preparing the ground for the third world war.

During my residence in Canada I have seen how the Canadian people and their Government, sincerely wishing to help the Soviet people, sent supplies to the Soviet Union, collected money for the welfare of the Russian people, sacrificing the lives of their sons in the delivery of these supplies across the ocean—and instead of gratitude for the help rendered, the Soviet Government is developing espionage activity in Canada, preparing to deliver a stab in the back of Canada—all this without the knowledge of the Russian people.

Convinced that such double-faced politics of the Soviet Government towards the democratic countries do not conform with the interests of the Russian people and endanger the security of civilization, I decided to break away from the Soviet regime and to announce my decision openly.

\*Our underlines.

I am glad that I found the strength within myself to take this step and to warn Canada and the other democratic countries of the danger which hangs over them.

(sgd) Gouzenko.

I have read the foregoing translation which was made from my original statement in Russian, and have found it to be correct.

October 10th, 1945.

(sgd) Gouzenko.

It was under the influence of such considerations as we have mentioned, that Gouzenko finally decided to leave the Soviet service and to take with him documents which would establish the kind of activity being carried on under the cover of the Russian Embassy.

During the last few weeks prior to his departure from the Embassy on the 5th of September, 1945, he selected a number of documents which he left in their places in the files, the edges or corners of which he turned over in order that he might pick them out quickly at any time. On the 5th of September he left the Embassy, with the documents, at about 8.00 p.m.

The first thing he did was to go immediately to one of the daily newspapers published in the city, with the intention of asking that newspaper to publish his decision and the reasons for reaching it. Whoever he interviewed at the newspaper office did not act in accordance with his desire. On leaving the newspaper office he proceeded to the apartment where he resided, and the next morning, September 6th, he, his wife and child, left the apartment to remain away until between 6.00 and 7.00 o'clock in the evening.

He made a number of calls during the day to various official offices and called again upon the newspaper. He was unable that day to have anyone accept him seriously.

On returning to his apartment he was evidently under some apprehension as to his personal safety and that of his wife and child. He says that he had not been long in the apartment, which is No. 4, when he noticed two men standing on the opposite side of the street who appeared to be keeping it under observation. Shortly after that someone knocked on his door and called his name. While he did not answer the door, his presence in the apartment was disclosed by the noise of his child running across the

room. He says he recognized the voice of the person at the door as that of  
Under-Lieutenant Lavrentiev, one of the drivers for the Military Attaché.

Gouzenko thereupon went out through the back door to the adjoining apartment, No. 5, occupied by a Non-Commissioned Officer of the R.C.A.F., and asked if this officer and his wife would be willing to keep his child for them overnight. The Non-Commissioned Officer and his wife have both appeared and given evidence before us.

He said:—

"Well, my family and I were out on our balcony at about 7 o'clock in the evening, between 7 and 7.30, and Mr. Gouzenko came over from his balcony and asked if he could speak with me. I told him sure he could speak with me, if he had something to say; so he asked me if the wife and I would look after their little boy if anything should happen to him and his wife. So about that time I figured maybe we should go inside, so we went into our apartment, and while in there he said he figured that the Russians were going to try to kill him and his wife, and that he wanted to be sure that somebody would look after his little boy if anything should happen to them."

So after a bit of a conference my wife and I decided we would look after him, because we didn't want to see him stuck with nobody to look after him should anything happen to them."

On coming out the back door of the R.C.A.F. Non-Commissioned Officer's apartment, which opens on to a balcony, both men saw a man walking along a lane at the back of the apartment house. As a result of this incident, Gouzenko became so apprehensive that he asked the N.C.O. if he, Gouzenko, and his wife could also be taken in by them and they agreed to do that. At this juncture the wife of the tenant in another apartment, No. 6, on the same floor, appeared and, on hearing the story, agreed to take the whole Gouzenko family for the night as she was alone in her apartment. The R.C.A.F. man thereupon, on his own initiative, set off on his bicycle for police assistance.

The lady who took in the Gouzenkos was also called as a witness before us, and we have heard her evidence as to these and the later events of the night. These later events were also described to us by the police officers who subsequently appeared on the scene, and may be summarized as follows:—

As the result of the request for the assistance of the municipal police, two constables, Walsh and McCulloch, in a prowler car were sent to the apartment and arrived there sometime after 7.00 p.m. They interviewed Gouzenko in Apartment 6 and he told them he was a member of the Russian Embassy and had information of value to Canada. He told the police officers he thought he was being trailed and he wanted protection. Arrangements were accordingly made that the police officers would keep the apartment building under surveillance and that, if their help was needed, the light in the bathroom of apartment 6 was to be turned out. In the meantime it was to be kept on.

Between 11.30 and midnight four men arrived in the building and proceeded to Gouzenko's apartment, No. 4, on the door of which they knocked. The Non-Commissioned Officer occupying apartment 5, thinking it was the police returning, opened his door. The men in the hall asked if he knew where Gouzenko was, but he said he did not. Then they continued knocking, but, not getting any answer, went downstairs, as though to leave. Instead of doing so, however, they returned quietly, knocked again, and then broke in the door and entered. The Non-Commissioned Officer, who had in the meantime gone into his apartment, could hear this operation.

In the meantime the police had been summoned and they arrived. The door was not closed tight and the two constables entered and found the lights on and the four men evidently ransacking the apartment. One who turned out to be Vitali Pavlov, the Second Secretary and Consul of the Embassy proper, and head of the N.K.V.D. in Canada, was in a clothes closet. One, in uniform, identified as Lieutenant-Colonel Rogov, the Assistant Military Attaché, Air, was in a closet just off the room into which the constables entered, which in the opinion of the constables he was engaged in ransacking.

Walsh asked what the men were doing there. Pavlov, who did practically all the talking, said they were Russians and they were looking for papers which belonged to the Russian Embassy; that the owner of the apartment had left town and was in Toronto and they had his permission to go into the apartment and get what they wanted. Walsh remarked that it was funny if they had permission that they had broken the lock to get in, and he picked up from the floor the keeper of the lock and said "This does not look as if it has been done with a key. You must have used a bit of pressure to get in and from the marks on the door you did not put them there with your fingers." Constable McCulloch testified that Pavlov

said they had "lost the key but there was something in there they had to get." Pavlov then said the premises were Russian property and they could do as they liked. Rogov said the constables had insulted them and Pavlov ordered them out, but the policemen refused to go until their Inspector arrived. Walsh asked for their identification cards and they identified themselves as:—

Vitali G. Pavlov, 2nd Secretary, Embassy U.S.S.R., 285 Charlotte Street,

Lieutenant Angelov, Member of the staff of the Military Attaché,  
Lieutenant-Colonel Rogov, Military Attaché, Russian Air Force,  
Alexandre Farafontov.

The last named is one of the cipher clerks of the Embassy used by Pavlov for the purposes of his communications to and from Moscow.

The Inspector ultimately arrived and sized up the situation. He asked the members of the Embassy to remain while he went out to make some inquiries, but while he was gone they left. No attempt was made by the police to hold them.

Pavlov took an ordinary door key out of his pocket and locked the ordinary lock in the door, the Yale lock of course being out of commission. Both Constables, Walsh and McCulloch, as well as the Non-Commissioned Officer of the R.C.A.F., all stated that the door of apartment 4 was locked and in good condition at the time of the previous visits of the constables. McCulloch, on arriving with Walsh the first time, had been met by the R.C.A.F. Non-Commissioned Officer at the top of the stairs and, on McCulloch asking for Gouzenko, they were referred to apartment 6 and apartment 4 was indicated to them as Gouzenko's apartment. McCulloch tried the door of apartment 4 before proceeding to number six.

Gouzenko, his wife and child, remained in apartment 6 for the rest of the night, under the care of the city police. There was a later caller at apartment 4 in the night but he retired in a short time without incident. On the morning of the 7th of September, Gouzenko was taken to the office of the R.C.M.P. where he turned over his documents, told his story and asked to be kept in protective custody as he feared for his safety and that of his wife and child.

On the 8th of September, 1945, the Department of External Affairs received from the Soviet Embassy at Ottawa a note, dated September 7th, a translation of which reads as follows:—

The Embassy of the U.S.S.R. in Canada presents its compliments and has the honour to inform the Department of External Affairs of the following:

A colleague of the Embassy, Igor Sergeievitch Gouzenko, living at 511 Somerset St., failed to report for work at the proper time on the 6th September.

In connection with this and for the purpose of clarifying the reasons for the failure of I. Gouzenko's reporting for work, Consul V. G. Pavlov and two other colleagues of the Embassy visited the apartment of I. Gouzenko at 11.30 on the 6th September.

When Mr. Pavlov knocked at the door of Gouzenko's apartment no one answered. After this the apartment was opened by the above-mentioned colleagues of the Embassy with Gouzenko's duplicate key, when it was discovered that neither Gouzenko, nor his wife, Svetliana Borisovna Gouzenko, nor their son Andrei, were in the apartment.

It was later established that I. Gouzenko robbed some money belonging to the Embassy and had hidden himself together with his family.

At the time when Consul Pavlov and the two other colleagues of the Embassy were in Gouzenko's apartment, i.e., about 11.30 p.m., Constable Walsh of the Ottawa City Police appeared together with another policeman and tried in a rude manner to detain the diplomatic colleagues of the Embassy, in spite of explanations given by Consul Pavlov and the showing of diplomatic cards.

As a result of the protest expressed by Mr. Pavlov, Walsh called Inspector of the City Police Macdonald, who appeared at the Gouzenko apartment in fifteen minutes, and also in a rude manner demanded that Consul V. G. Pavlov and the other diplomatic colleagues of the Embassy go with him to the Police Station, refusing to recognize the diplomatic card shown by Consul Pavlov.

Upon the refusal of Mr. V. G. Pavlov to go to the Police Station, Mr. Macdonald went away, leaving a policeman in the Gouzenko apartment with the colleagues of the Embassy, for the alleged purpose of

**finding out who it was who had notified the police of the forced entry into the Gouzenko apartment.**

Consul V. G. Pavlov and the other two colleagues of the Embassy, after waiting for Mr. Macdonald to return for 15 minutes, left, having locked the Gouzenko apartment.

The Embassy of the U.S.S.R. asks the Department of External Affairs to take urgent measures to seek and arrest I. Gouzenko and to hand him over for deportation as a capital criminal, who has stolen money belonging to the Embassy.

In addition the Embassy brings to the attention of the Department of External Affairs the rude treatment accorded to the diplomatic colleagues of the Embassy by Constable Walsh and Inspector of the City Police Macdonald, and expresses its confidence that the Department will investigate this incident and will make those guilty answerable for their actions.

The Embassy asks the Department that it should be informed of action taken in relation to the above.

Ottawa, 7th September, 1945.

The reference in the above note to Gouzenko as a *capital* criminal may be noted. We are satisfied that the suggestion that there was a theft of money was an afterthought. Gouzenko, whose evidence we accept, denied it.

In a note of the 14th of September, 1945, from the Russian Embassy to the Department of External Affairs, the following, as translated, appears:—

**Confirming its communication in the Note No. 35 of Sept. 7th of the fact that Gouzenko had robbed public funds, the Embassy, upon instructions from the Government of the U.S.S.R. repeats its request to the Government of Canada to apprehend Gouzenko and his wife, and without trial, to hand them over to the Embassy for deportation to the Soviet Union.**

**The Soviet Government expresses the hope that the Government of Canada will fulfill its request.**

It only remains to add that Pavlov settled for the damage done to the door and frame of apartment No. 4 and paid the owner of the premises \$5.00 therefor. Further, although the Department of External Affairs

asked the Soviet Embassy for particulars of the monies stolen, this inquiry was never answered. We think these circumstances dispose of the theft suggestion.

We may add that the evidence of the witnesses we have heard respecting the happenings of the 6th and 7th of September fully corroborates that of Gouzenko.

It seems pertinent at this point to amplify what is said of Gouzenko's history in Section II. He was born in 1919 in Russia. He received education in primary and secondary schools and later entered the Academy of Engineering in Moscow, but after two months was sent to a special school conducted under the aegis of the General Staff of the Red Army. Gouzenko never became a member of the Communist Party, but became a member of the *Komsomol*, or *Young Communists*, at the age of seventeen. According to him, it was not usual in peacetime to admit *Young Communists* to this Academy, but during the war, owing to shortage of suitable candidates, it was decided to admit *Young Communists* for training.

It was in this school that he learned the secret codes he later employed. From here he was sent to the Main Intelligence Division of the Red Army in Moscow, and was then sent to the front in May, 1942, where he remained for about one year. The Soviet authorities decided toward the end of 1942 to send Gouzenko abroad, but had not then decided to which country to send him. His "documentation" took approximately six months to complete and included a very careful investigation of him by the N.K.V.D., the Russian Secret Police. The final stage in such investigation of Soviet officials about to be sent abroad was the approval of the head of the Foreign Branch of the Central Executive Committee of the Communist Party, or one of his assistants. In the case of Gouzenko, he was attended to by one Goussarov, who later became one of the Secretaries of the Embassy at Ottawa. It has been observed in Section II that Goussarov was the representative of the Communist Party in the Soviet Embassy in Ottawa, and that communications between him and Moscow were through the medium of a secret cipher also independent of the Ambassador. Goussarov's particular cipher clerk was one Patony.

Gouzenko says that all persons of his category, at least, sent abroad, were given a "*legend*" for the purpose of covering the fact that they were engaged in intelligence work.

This "legend" is a fictitious biography which the person concerned had to commit to memory. By this means, inquiry in Moscow by representatives of foreign powers there, as to the antecedents of such individuals, would be rendered fruitless. All documents made up for use abroad by such an individual are made up from this "legend".

In our opinion Gouzenko, by what he has done, has rendered great public service to the people of this country, and thereby has placed Canada in his debt.

## SECTION XI

### LAW AND PROCEDURE

#### 1. P.C. 6444

Some months before the date of the Order in Council by which we were appointed, Order in Council P.C. 411 of February 5th, 1946, namely, on October 6th, 1945, Order in Council P.C. 6444 had been enacted by the Governor General in Council. This order recites that:—

**It has been ascertained that agents of a Foreign Power have been engaged in a concerted effort to obtain from public officials and other persons in positions of trust, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada and friendly Powers, and that secret and confidential information has been communicated, directly or indirectly, by certain persons to the agents of the aforesaid Foreign Power to the prejudice of the public safety or interests of Canada and of friendly Powers;**

and that:—

**It is deemed necessary for the security, defence, peace, order and welfare of Canada that the Acting Prime Minister or the Minister of Justice should be authorized to order the detention of such persons in such places and under such conditions as the Acting Prime Minister or the Minister of Justice may from time to time determine.**

The Order thereupon proceeds to enact as follows:—

1. **The Acting Prime Minister or the Minister of Justice, if satisfied that with a view to preventing any particular person from communicating secret and confidential information to an agent of a Foreign Power or otherwise acting in any manner prejudicial to the public safety or the safety of the State it is necessary so to do, may make an Order that any such person be interrogated and/or detained in such place and under such conditions as he may from time to time determine.**

2. Any person shall, while detained by virtue of an order made under this Order, be deemed to be in legal custody.
3. The Minister of Justice if satisfied that the detention of any person so detained is no longer necessary for the public safety or the safety of the State may make an Order releasing him.
4. The Acting Prime Minister or the Minister of Justice may authorize any member of the Royal Canadian Mounted Police to enter any premises occupied or used by a person whose detention is ordered at any time or times and to search the premises and every person found thereon and to seize any article found on the premises or any such person which the said member of the Royal Canadian Mounted Police has reasonable grounds for believing to be evidence that secret and confidential information has been communicated to agents of a Foreign Power.

It is to be observed that this Order lays down as the one condition precedent for the exercise by either of the Ministers referred to of the authority conferred by the Order, that such Minister shall be satisfied that it is necessary to detain any person "with a view to *preventing* such person from communicating secret and confidential information . . . or otherwise *acting* in any manner prejudicial to the public safety or safety of the State". The exercise of the authority conferred by this Order will be seen to be purely *preventive* in its nature and not *punitive* with respect to past conduct. It is not concerned with and leaves untouched the question of accountability for such conduct under the general law.

On the 14th of February, 1946, Commission Counsel, one of whom had, prior to our appointment, been advising the Government in connection with the matter for sometime, stated to us that they had advised the Minister of Justice that, in their opinion, the circumstances were such that he should exercise the power conferred upon him by Order in Council P.C. 6444, and they advised us the Minister desired our opinion.

In considering the situation thus arising, it may, in the first place, be pointed out that the disclosure of secret or confidential information to a foreign power is a subject which is not regarded either here or in England as on a level with what may be called ordinary domestic offences. Parlia-

ment has seen fit to mark out this subject in *The Official Secrets Act*, 1939, which is not limited to the existence of war, as one in which the safety and interests of the State are to be regarded as in danger because of which special provisions are deemed necessary. Some of the provisions of the statute, which is modelled upon the British Acts of 1911 and 1920 (1-2 Geo. V., cap. 28, and 10-11 Geo. V., cap. 75), illustrate what we have just said and should be referred to. By sub-section (1) of section (3) it is enacted that:—

**If any person for any purpose prejudicial to the safety or interests of the State, . . .**

- (b) makes any sketch, plan, model or note which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power; or
- (c) obtains, collects, records, or publishes, or communicates to any other person any secret official code word, or pass word, or any sketch, plan, model, article, or note or other document of information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power,

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such person commits an offence under the Statute.

The people of Canada in self-protection have, through Parliament, also enacted strong presumptions against persons charged under *The Official Secrets Act* shifting the burden of proof from the State to the accused, and in such cases it is for the person, against whom an offence under the statute is alleged, to establish his innocence to the reasonable satisfaction of the tribunal charged with the responsibility of deciding. We refer to the following provisions:—

**Sec. 3(2) On a prosecution under this section, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the State, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the State; . . .**

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\*Our underlines.

(3) In any proceedings against a person for an offence under this section, the fact that he has been in communication with, or attempted to communicate with, an agent of a foreign power, whether within or without Canada, shall be evidence that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power.

(4) For the purpose of this section, but without prejudice to the generality of the foregoing provision:—

(a) a person shall, unless he proves the contrary, be deemed to have been in communication with an agent of a foreign power if—

(i) he has, either within or without Canada, visited the address of an agent of a foreign power or consorted or associated with such agent; or

(ii) either within or without Canada, the name or address of, or any information regarding such an agent has been found in his possession, or has been supplied by him to any other person, or has been obtained by him from any other person;

(b) the expression 'an agent of a foreign power' includes any person who is or has been or is reasonably suspected of being or having been employed by a foreign power either directly or indirectly for the purpose of committing an act, either within or without Canada, prejudicial to the safety or interests of the State, or who has or is reasonably suspected of having, either within or without Canada, committed, or attempted to commit,

\*Our underlines.

such an act in the interests of a foreign power;

- (c) any address, whether within or without Canada, reasonably suspected of being an address used for the receipt of communications intended for an agent of a foreign power, or any address at which such an agent resides, or to which he resorts for the purpose of giving or receiving communication, or at which he carries on any business, shall be deemed to be the address of an agent of a foreign power, and communications addressed to such an address to be communications with such an agent.

**Sec. 4(3)** If any person receives any secret official code word, or pass word, or sketch, plan, model, article, note, document or information, knowing or having reasonable ground to believe, at the time when he receives it, that the code word, pass word, sketch, plan, model, article, note, document or information is communicated to him in contravention of this Act he shall be guilty of an offence under this Act, unless he proves that the communication to him of the code word, pass word, sketch, plan, model, article, note, document or information was contrary to his desire;

he shall be guilty of an offence under this Act.

**Sec. 9** Any person who attempts to commit any offence under this Act, or solicits or incites or endeavours to persuade another person to commit an offence, or aids or abets and does any act preparatory to the commission of an offence under this Act, shall be guilty of an offence under this Act and shall be liable to the same punishment, and to be proceeded against in the same manner, as if he had committed the offence.

\*Our underlines.

The provisions of section 10 are particularly important and show that the statute is preventive as well as retributive. By this section any person reasonably *suspected* of "*being about to commit*" an offence may be arrested without warrant and detained by any constable or police officer. The section follows:—

- 10. Any person who is found committing an offence under this Act, or who is reasonably suspected of having committed, or having attempted to commit, or being about to commit, such an offence, may be arrested without a warrant and detained by any constable or police officer.**

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It will be observed that while by section 9 an attempt to commit an offence or an act preparatory to the commission of an offence is in each case constituted an offence itself, nowhere in section 9 nor elsewhere in the statute is the fact of being "*about to commit*" an offence constituted an offence with which any person may be charged or for which he may be convicted. Section 10 provides for detention in such case and nothing more and the section places no time limit upon such detention. Neither does it contain any provision corresponding to such provisions as are found in sections 652 and 664 of the Criminal Code which provide that the person detained under those sections must be brought before a judicial officer within a certain time limited by the sections to be dealt with by him.

As to the provision for interrogation at the instance of the Minister, provided for in sub-paragraph 1 of the Order, such a provision, although not in the Canadian statute, is not new in matters within this field. Section 6 of the British Act of 1920 for instance provided:—

**that it shall be the duty of every person to give on demand to a chief officer of police, or to a superintendent or other officer of police not below the rank of inspector appointed by a chief officer for the purpose, or to any member of His Majesty's forces engaged on guard, sentry, patrol or other similar duty, any information in his power relating to an offence or suspected offence under the principal Act or this Act. . . .**

With respect to paragraph 4 of Order in Council P.C. 6444, this is in substance a reproduction of section 11 of *The Official Secrets Act*, 1939.

As already noted above, section 10 is silent as to the length of time during which a person reasonably suspected of *being about to commit an*

\*Our underlines.

*offence*, may be detained by the constable who arrests him. It may be suggested, therefore, that the common law rule would apply and that the person detained must be brought before a judicial officer within a reasonable time. A "reasonable time" within the meaning of the common law rule is such time as is reasonably necessary in the ordinary course to bring the person before a magistrate. The jurisdiction of the magistrate at common law, as under section 668 of the Code, is limited to an inquiry into the matters "charged". In the case of a person arrested and detained on suspicion merely of being "about to commit" an offence, there is no charge and, therefore, nothing for the magistrate to inquire into. If it could be said, therefore, that in such case, there being no charge, the magistrate assuming a non-existent jurisdiction must direct the release of the person detained, the preventive purpose of *The Official Secrets Act* might well fail, as the person, by his release, would be then given an opportunity to commit the actual offence; and it is provided by section 15 of the Interpretation Act, 1927, R.S.C., cap. 1, that every Act and every provision thereof shall be deemed remedial whether its immediate purport is to direct the doing of anything which Parliament deems to be for the public good, or to prevent or punish the doing of any thing which it deems contrary to the public good and "shall accordingly receive such fair, large and liberal construction and interpretation as will best ensure the attainment of the object of the Act and of such provision or enactment, according to its true intent, meaning and spirit".

The release of a person reasonably suspected of being about to communicate information contrary to the statute merely because no charge has been made where no charge could in law be made, would not be in accord with the purpose of the authority given by section 10 to arrest and detain such a person.

On the other hand, is the duration of the detention authorized by the section to be considered as during such period, in the discretion of the arresting constable, as he thinks reasonably necessary to prevent the commission of the offence, and is his discretion subject to review by the court on any application brought by the person detained to secure his freedom? If the detention were not to be for a sufficient period to prevent the commission of the actual offence or to remove the suspicion, the preventive purpose of the statute might be defeated, but the Governor General in Council provided by Order in Council P.C. 6444 that the Minister of Justice, with whose consent alone, as provided by section 12 of *The Official Secrets*

*Act*, a prosecution for any offence under the statute may be instituted, should determine when detention shall be no longer necessary.

If then, as laid down in section 10 of the Canadian statute above, Parliament contemplated that, in the case of a single individual suspected by "any" constable or police officer of "being about to commit" the offence of communicating information to a foreign power, such person might be arrested without warrant, it would seem that in a case where there was not just one individual but many suspected, their detention at the instance not of a constable or police officer but under the authority of an Order in Council, would certainly be within the contemplation of the statute.

In concurring in the advice tendered the Minister by counsel, we had before us the secret records of the Russian Embassy itself with regard to the persons proposed to be detained. We had also heard the evidence of Gouzenko in part and had perused a precis of the additional evidence he had to give. Up to this time, February 14th, so far as we are aware, there had been no publication of the fact that an investigation of any kind was proceeding. The only fact known to the staff of the Russian Embassy, and through them to their Canadian agents, was the fact of Gouzenko's disappearance with some records, of the particulars of which the Embassy could not be certain. The Embassy no doubt may have suspected that Gouzenko had made disclosures to the Canadian authorities, and the slowing up or discontinuance of some of the operations noticeable in the cases of Woikin, Willsher and Adams is evidence of that.

The long period of silence following September 7th however might well have had some reassuring effect and the case of Adams would seem to be in point. While the espionage organization would observe every caution other circumstances indicated strongly that it was still functioning with the consequent continued communication of the information which it had been designed to obtain.

P.F.150.058 In a cable of August 25th, 1945, Zabotin reported to "*The Director*" that [Krotov], the Commercial Counsellor of the Embassy, who had been in Moscow for a time, had arrived back in Ottawa, and that Zabotin had learned from him that he would have a staff of 97 persons. Up to that time, according to the return made by the Embassy to the Department of External Affairs, the Commercial Counsellor's staff amounted to approximately fifty persons.

The cable goes on to state that a part of this staff had been selected by Krotov and were to be "*trained in the Centre*"—i.e. Red Army Intelligence Headquarters—but that the selection of staff had not been completed. It is also stated that Sokolov was to remain in Krotov's organization but to

be under instructions of "his boss", namely, Zabotin. The cable further states that this organization of Krotov is to move to Montreal. Zabotin's staff was also to be increased:—

**" . . . In connection with the increase of our staffs it would not be bad to occupy the house of the Economist after their departure. . . . The House of the Economist is almost twice as large as ours."**

Zabotin occupied premises on Range Road while Krotov's establishment was on Blackburn Avenue. The cable itself is as follows:—

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**To the Director,**

**The Economist has arrived. In a conversation with him I learned that his staff will consist of 97 persons. A part of the persons selected by him will be trained in the centre, but the staff was not fully selected. Davy will remain in the apparatus of the Economist on the instructions of his boss. The establishment of the Economist will move to Montreal. In connection with the increase of our staffs it would not be bad to occupy the house of the Economist after their departure. The Economist promised to let me know in time. The boss of metro is also aspiring to occupy this house, although they have no particular need. Please support my proposal in the future, if it is made by me to you or to the Chief Director in a telegram. The house of the Economist is almost twice as large as ours.**

**Grant**

#### **25.8.45**

It is apparent then that both Zabotin and Krotov were in the process of augmenting their respective staffs. Zabotin's staff was largely concerned with espionage. Krotov was to have at least one espionage agent, Sokolov. The name *Economist* itself is the cover-name used by the Red Army Intelligence for Krotov who himself, according to the documents, had at one time been active in the espionage organization.

The significant thing is that no change in these plans took place after Gouzenko disappeared from the Embassy. On 28th August the Soviet Ambassador had pressed the Canadian Government for permission to open trade offices in Montreal or Toronto *with diplomatic immunity*. He again pressed this in October. In connection with this matter a senior official of the Canadian Department of External Affairs testified as follows:—

Q. The evidence given before the Commission indicates a policy on the part of the Russian Government largely to increase the staff of the Commercial Counsellor's office here in Ottawa, with the possible intention of moving it either to Toronto or Montreal, and also to increase Zabotin's staff; and there is some evidence that at least part of the increase was for the purpose of having additional people to work in these subversive activities. Would it be necessary for the Russian Government, we will say, to increase the staff of the Commercial Counsellor's office from fifteen or twenty to ninety or one hundred; and, if so, was such a request made? Can you give the Commission any information on that?

A. No request was made to increase the staff of the Commercial Counsellor's office in Ottawa, and it would not be necessary for them to secure consent. They would have to notify us, and of course any entrant would have to have a visa if he was coming from Russia, so we would know in general what they were doing and we would also require all diplomatic missions in Ottawa to make periodical returns showing their entire staff, everybody in the employ of the Mission, so we could keep an eye on the number.

Q. Can you give the Commission any information as to a recent request from the Russian Government to open a trade mission in Montreal with diplomatic immunity?

A. The request did not come forward in quite that form. The location was never settled. We heard about it first on the 28th August, 1945, when Mr. Zaroubin and Mr. Krotov called on Mr. Norman Robertson, as they put it, to discuss the suggestion that they were proposing to speak to their government — that is, they made it clear that they were not acting on instructions from Moscow, — for the reorganization of their commercial representation in this country.

They said that they had in mind the establishment of a trade delegation under the supervision of the Embassy but separate from the Embassy, with headquarters possibly in Montreal or Toronto. I think they made it clear they were thinking only of one office, not one in both places, at that stage.

They said that this was the sort of standard form of commercial representation that they had in the United Kingdom and other countries, and that they felt that with the end of the war the

centralization of commercial activities in Ottawa would cease, and they would be in a better position to conduct their activities with some decentralization.

Mr. Robertson at that time queried them on the question of immunities and privileges for any such Mission. He promised to look into the matter and let them know what our general attitude was. This was entirely verbal; there was no written request at any time from the Soviet Embassy on this point.

We made inquiries as to the practice in other countries. Before we received any answer, Krotov's legal adviser, whose name was Pianov, saw the head of our Economic Division in my Department and made a lot of detailed requests for information on Canadian laws and regulations applicable to trade missions of other Governments. We did not do anything very much about this in view of the time at which these requests were made.

However, I had occasion to see Mr. Zaroubin and Mr. Krotov again on October 13 about some difficulties we were having over the payment of contracts, and they started the ball rolling by tackling me vigorously on the fact that they had made this request and had not received any answer. I do not know that I got much in the way of new information from them.

They then asserted that they were asking the same privileges that had been granted in Europe and that such organization was not intended to be a purchasing or selling agency and that it was intended to establish it only in the one place, either Montreal or Toronto. They added that it was the custom of the Soviet Government to request diplomatic status for such Missions dealing with trade questions in other countries.

I answered that if it was not going to buy or sell, but was going to deal with intergovernmental trade matters, I could see no good reason why it should not be in Ottawa where, after all, the Government was situated, but I did not get any very convincing answer.

Q. Did you get any answer?

A. The Ambassador's answer was that they felt that in any case they would need some commercial agent in Montreal or Toronto or perhaps in both eventually. I then told Zaroubin that we wanted to look at our own position about the status of our own trade commissioners abroad, and suggested that if we would meet them